

OFFICE OF CHEMICAL SAFETY & POLLUTION PREVENTION

WEEKLY REPORT – June 7, 2018

IMPORTANT DEADLINES

Row	Determination Type	Pending on 6/5/2018	Determinations Completed ¹ as 6/5/2018	Determinations Posted on the Website as of 6/5/2018 ⁶
1	# of "not likely" determinations	1	122 ⁴	122 ⁴
2	# of §5(e) Orders signed by both EPA and the submitter	-	400	400
3	# of §5(e) Orders signed by EPA and awaiting submitter signature	42	-	-
4	# of non-Order SNURs/"not likely" determinations	0	0	0
5	# of cases in post-FOCUS final determination development ⁵	319 ^{3, 5}	-	-
6	# of cases flagged for in-depth review	43	-	-
7	# of PMNs, SNUNs and MCANs awaiting FOCUS (within 90-day review)	36	-	-
8	# of LVE/LOREX exemption grants	-	602	597
9	# of LVE/LOREX exemption denials	-	121	121
10	Total number of cases	441	1245	-
11	Normal active workload for the New Chemicals Program	300	-	-
12	Number of cases undergoing testing or data development by submitter	74 ³	-	-
13	Backlog²	67	-	-

¹"Determinations Completed" means that EPA has completed its reviews on these cases and that final determinations have been made by EPA under TSCA section 5(a)(3).

² (Total number of cases) – (Normal active workload for the New Chemicals Program) - (Number of cases undergoing testing or data development) = Backlog

³ Of these cases, approximately 72 are "active" lung toxicity cases that are suspended while submitters either conduct or are deciding whether to conduct testing to develop data on pchem properties, exposures and toxicity.

⁴ "Not Likely" determinations are not posted until the final signed determination document is prepared and has been shared with submitter.

⁵ These cases are those for which Post-FOCUS work is underway to develop: not likely determinations; non-Order SNURS coupled with not likely determinations; or section 5(e) or 5(f) Orders. When the OPPT Office Director decides which of these regulatory paths to follow, the case is moved to: Row 3 when the section 5(e) or 5(f) Order is sent to the submitter for signature; Row 4 when the SNUR is published and the not likely determination document is signed; and Row 1 when the determination document is sent to the OPPT OD for signature.

⁶ These are all only final determinations posted on the web: grants and denials.

HOT ISSUES

Addition of Nonylphenol Ethoxylates to Toxics Release Inventory. On June 7, OCSPP announced that it finalized a rule to add a category of thirteen specific nonylphenol ethoxylates (NPEs) to the Toxics Release Inventory (TRI). The finalized rule will be effective for the 2019 TRI reporting year with the first reporting forms due from facilities meeting TRI reporting thresholds July 1, 2020. NPEs are nonionic surfactants used in a wide variety of industrial applications and consumer products such as adhesives, wetting agents, emulsifiers, stabilizers, dispersants, defoamers, cleaners, paints, and coatings. Short-chain NPEs are highly toxic to aquatic organisms, and longer-chain NPEs, while not as toxic as short-chain NPEs, can break down in the environment to short-chain NPEs and nonylphenol, both of which are highly toxic to aquatic organisms.

Problem Formulations for First 10 Chemicals Selected for Risk Evaluation under Toxic Substances Control Act (TSCA). On June 1, OCSPP released the problem formulation documents for public comment on the first 10 chemicals selected for risk evaluation under the amended TSCA. Asbestos, methylene chloride, 1,4-dioxane, trichloroethylene, and cyclic aliphatic bromide cluster (HBCD) are among the first of the chemical problem formulations that were released. EPA intends to finalize these ten risk evaluations by December 2019. OCSPP is also releasing a systematic review approach to share with the public the methodology that the TSCA program will use to ensure that the best available science is relied upon in these and other risk evaluations.

EPA Announced a Significant New Use rule (SNUR) for Certain Uses of Asbestos. On June 1, EPA proposed a SNUR for certain uses of asbestos (including asbestos-containing goods) that, when final, will require manufacturers and importers to notify EPA before starting or resuming manufacturing, importing or processing of asbestos.

UPCOMING ACTIVITIES

Guidance to Assist Companies and Improve New Chemicals Review Under TSCA. OCSPP is preparing to issue guidance to improve transparency with companies seeking Agency review of their new chemical substances under the Toxic Substances Control Act (TSCA). TSCA requires anyone who plans to manufacture (including import) a new chemical substance to provide EPA with notice and EPA must now review and make an affirmative determination before chemicals can go to market. The “Points to Consider When Preparing TSCA New Chemical Notifications” will provide submitters with information relating to new chemical notices; pre-manufacture notices (PMNs), Significant New Use Notices (SNUNs), exemption notices, EPA’s scientific approaches used in conducting PMN assessments, and best practices.